

**UNITED STATES DISTRICT
COURT NORTHERN DISTRICT OF
ILLINOIS EASTERN DIVISION**

ANGELICA JUNIOUS,
Plaintiff,

v.

SGT. W. BAKER, et al.

Defendants.

Case No. 22-cv-3681

Honorable Judge Edmond E. Chang

Magistrate Judge Maria Valdez

**AGREED MOTION FOR ENTRY OF QUALIFIED
PROTECTIVE ORDER PURSUANT TO HIPAA**

NOW COME, Plaintiff, ANGELICA JUNIOUS (“Plaintiff”), by and through her attorneys, CIERRA NORRIS, MELVIN L. BROOKS, DEVLIN J. SCHOOP, and BRIAN M. OROZCO, and Defendants SGT. W. BAKER, C/O C. CHENGARY, LT. PURCELL, COOK COUNTY SHERIFF THOMAS J. DART, OFFICER WALZ, and OFFICER RAHN, by and through their attorney KIMBERLY M. FOXX, through her Assistant State’s Attorney, ANTONIO LEE (collectively the “Parties”), and respectfully request this Court to enter a qualified protective order. In support of this Motion, the Parties state as follows:

1. Plaintiff alleges she was sexually assaulted by another detainee on December 30, 2021 and allegedly sustained injuries. (Dkt. 42, ¶¶ 17-18, 20.)
2. Plaintiff asserts claims seeking damages for alleged injuries allegedly suffered by her and allegedly caused and/or exacerbated by the Defendants.
3. Plaintiff’s medical records will aid in determining if injuries were sustained in relation to the alleged sexual assault, and Plaintiff’s medical records will further help reveal the extent of damages.

4. Defendants anticipate that in the course of litigating Plaintiff's claim they will be required to seek Plaintiff's protected health information ("PHI") in the form of medical and mental health records.

5. Further, the litigation of Plaintiff's claim will require the parties, their attorneys, their attorneys' agents, consultants, and various witnesses and other personnel to receive and review copies of PHI related to Plaintiff.

6. The Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), 42 U.S.C. 1320(d) and 45 CFR Parts 160 and 164, prohibits the disclosure of PHI, as defined in 45 CFR 164.501, in judicial proceedings other than by authorization or qualified protective order. *See* 45 CFR 164.512(e).

7. In order to obtain and exchange that information, the Defendant respectfully requests that this Court enter the proposed Qualified Protective Order emailed to Proposed_Order_Valdez@ilnd.uscourts.gov.

8. The parties conferred. Plaintiff has no objection to this Motion and agrees to the entry of a Qualified HIPAA Protective Order.

WHEREFORE, Defendants respectfully request that this Court enter the attached draft Order permitting the disclosure and use of PHI related to Plaintiff in connection with the litigation of this action.

Respectfully submitted,

KIMBERLY FOXX
State's Attorney of Cook County

/s/Antonio Lee
Antonio Lee
Assistant State's Attorney
Cook County State's Attorney's Office

500 Richard J. Daley Center
Chicago, Illinois 60602
(312) 603-5439
Antonio.Lee@cookcountyil.gov

CERTIFICATE OF SERVICE

I, Assistant State's Attorney, Antonio Lee, hereby certify that the above and foregoing was served upon all counsel of record through the CM/ECF filing system on August 1, 2023.

/s/Antonio Lee
Antonio Lee